

**United States District Court**

**for**

**Middle District of Alabama**

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: James Ryan Arwood

Case Number: 3:04cr194-MEF

Name of Sentencing Judicial Officer: The Honorable Mark E. Fuller, Chief U.S. District Judge

Date of Original Sentence: July 14, 2005

Original Offense: Unlawful Transport of Firearms [18 U.S.C. 922(g)(1)]

Original Sentence: 15 months custody followed by 3 years supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: October 6, 2006

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**PETITIONING THE COURT**

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- ☐ To extend the term of supervision for \_\_ years, for a total term of \_\_ years.  
☒ To modify the conditions of supervision as follows:

**You shall reside for a period of 180 days in a Community Correctional Center and shall observe the rules of that facility. You shall be placed in the Community Confinement component of the program. While at the center you shall contribute towards the cost of your room and board, as directed by center staff.**

**CAUSE**

Arwood is being supervised by the U.S. Probation Office in Jacksonville, Florida (Middle District of Florida). A noncompliance summary was submitted to the Court on March 9, 2007, reporting the use of marijuana. Arwood tested positive for marijuana on a drug test submitted on January 17, 2007, and subsequently admitted to using marijuana on or about January 1, 2007. The Court concurred to take no punitive action since the January 17<sup>th</sup> test was Arwood's first positive drug test and allow Arwood to pursue drug treatment.

Arwood's supervising officer now reports two additional positive drug tests, the first being on May 24, 2007, wherein Arwood tested positive for marijuana as well as benzodiazepines and a second test on July 26, 2007, which was positive for marijuana. It should also be noted that on June 1, 2007, Arwood submitted a drug test which was positive for marijuana and oxazepam; however, a scientist at Kroll Laboratory Specialists, Incorporated reported after inquiry from the supervising probation officer that the positive result on June 1<sup>st</sup> was due to residual effects of the drugs in Arwood's system on May 24, 2007. Arwood is currently participating in a substance abuse treatment program and is receiving group and individual counseling in addition to being subjected to frequent urine testing. The supervising probation officer is now requesting punitive action in the form of six (6) months in a community correctional center. Arwood has signed a waiver agreeing to the requested modification.

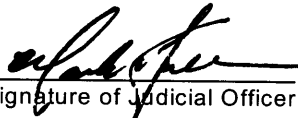
Respectfully submitted,

by /s/ David Ron Thweatt  
David Ron Thweatt  
Supervisory U.S. Probation Officer  
Date: August 20, 2007

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THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

  
\_\_\_\_\_  
Signature of Judicial Officer

20 August 2007  
\_\_\_\_\_  
Date